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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANDREW GOLDBERGER, an  
individual;

Plaintiff,

vs.

SMARTCAREOS, LLC, a Delaware  
limited liability company; SMART  
TUITION HOLDINGS, LLC, a  
Delaware limited liability company;  
LYRICAL PARTNERS, L.P., a  
Delaware limited partnership; DOES 1  
through 10; ROE ENTITIES 11 through  
20, inclusive,

Defendants.

CASE NO.: 2:16-cv-01884-RFB-NJK

**JURISDICTIONAL DISCOVERY PLAN  
AND SCHEDULING ORDER**

**(APPLICABLE TO LYRICAL PARTNERS,  
L.P.)**

**SPECIAL SCHEDULING REVIEW  
REQUESTED**

Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 26-1(3), and the Court's ruling during the June 23, 2017 hearing on Defendants' Motion to Dismiss (Dkt. No. 14), plaintiff Andrew Goldberger ("Plaintiff") and defendants SmartCareOS, LLC, Smart Tuition Holdings, LLC and Lyrical Partners, L.P. (collectively, "Defendants"), through their respective undersigned counsel, hereby submit this Jurisdictional Discovery Plan and Scheduling Order.

1. During the June 23, 2017 hearing on Defendants' Motion to Dismiss (Dkt. No. 14) the Court granted Plaintiff 90 days in which to conduct discovery limited to whether the court has personal jurisdiction over defendant Lyrical Partners, L.P. based on Plaintiff's alter ego allegations in this case ("Jurisdictional Discovery").

2. The Jurisdictional Discovery will be completed on or before **September 21, 2017**.

3. Following the cutoff of the Jurisdictional Discovery deadline, Defendants may renew their motion to dismiss Plaintiff's claims against Lyrical Partners, L.P. for lack of jurisdiction by **October 2, 2017**. If Defendants choose not to renew their motion to dismiss, Lyrical Partners, L.P. will be required to file an answer to the Complaint by **October 2, 2017**.

4. Should the Court determine that it has personal jurisdiction over Lyrical Partners, L.P., the Revised Discovery Plan and Scheduling Order (Dkt # \_\_) shall apply to Lyrical Partners, L.P.

DATED this 10<sup>th</sup> day of July, 2017.

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Partners, L.P.*

IT IS SO ORDERED:

  
UNITED STATES MAGISTRATE JUDGE

DATED: July 11, 2017